

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANA JARVIS, et al.,

Defendants.

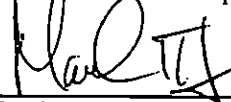
FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
05 DEC 12 AM 10:34
CR NO. 05-1849-JCH
CLERK-ALBUQUERQUE

NOTICE OF NON-AVAILABILITY

COMES NOW, counsel for Defendant Geno Berthod, Martin Lopez, III, P.C. (Martin Lopez, III) and states that he will be unavailable for hearings in this matter from December 24, 2005 through December 30, 2005.

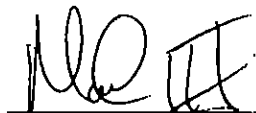
Respectfully submitted,

MARTIN LOPEZ, III
A Professional Corporation



Martin Lopez, III
Attorney for Defendant Geno Berthod
1500 Mountain Rd. NW
Albuquerque, New Mexico 87104
Tele: (505) 243-2900

I HEREBY CERTIFY that a copy of the foregoing was forwarded via facsimile to Assistant U.S. Attorney, James Braun on this 12th day of December, 2005.



Martin Lopez, III